

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

CYNTHIA PRECIADO,

Plaintiff,

v.

**CONCORDE CAREER COLLEGES,
INC.,** a Foreign Business Corporation;
KEITH KNITTLE, an individual,

Defendants.

Case No. 3:22-cv-1745-JR

ORDER ADOPTING F&R

Gregory Kafoury, Jason L. Kafoury, Mark Gillis McDougal, Kafoury & McDougal, 411 SW Second Avenue, Suite 200, Portland, OR 97204. Attorneys for Plaintiff.

Eron Cannon, Fain Anderson VanDerhoef Rosendahl O'Halloran Spillane, 701 Fifth Avenue, Suite 4750, Seattle, WA 98104. Attorney for Defendant Concorde Career Colleges, Inc.

Ramon Henderson, David S. Mephram, Hodgkinson Street Mephram, LLC, 1620 SW Taylor Street, Suite 350, Portland, OR 97205. Attorneys for Defendant Keith Knittle.

IMMERGUT, District Judge.

On April 19, 2023, Magistrate Judge Jolie A. Russo issued her Findings and Recommendation ("F&R"). ECF 30. The F&R recommends that Defendant Concorde Career Colleges, Inc.'s Motion to Compel Arbitration, ECF 5, and Defendant Keith Knittle's Motion to Compel Arbitration, ECF 20, should both be granted. The F&R further recommends that because

all claims are subject to arbitration, the present action should be dismissed. ECF 30 at 10. No party filed objections.

STANDARDS

Under the Federal Magistrates Act (“Act”), as amended, the court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). If a party objects to a magistrate judge’s F&R, “the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” *Id.* But the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the F&R to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149–50 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). Nevertheless, the Act “does not preclude further review by the district judge, sua sponte” whether de novo or under another standard. *Thomas*, 474 U.S. at 154.

CONCLUSION

No party having filed objections, this Court has reviewed the F&R and accepts Judge Russo’s conclusions. Judge Russo’s F&R, ECF 30, is adopted in full. This Court GRANTS Defendants’ Motions to Compel Arbitration, ECF 5; ECF 20, and DISMISSES this case.

IT IS SO ORDERED.

DATED this 31st day of May, 2023.

/s/ Karin J. Immergut
Karin J. Immergut
United States District Judge